

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
McALLEN DIVISION  
JURY**

MELISSA GRACE LOPEZ  
*Plaintiff*

V.

BENITO SILVESTRE CANTU, JR.,  
TINA MARIE HILL, and  
SOUTHERN INTERMODAL  
XPRESS, LLCS  
*Defendants*

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CIVIL ACTION NO. \_\_\_\_\_

**DEFENDANTS', TINA MARIE HILL AND SOUTHERN INTERMODAL XPRESS, LLC,  
NOTICE OF REMOVAL**

**TO THE HONORABLE UNITED STATES DISTRICT JUDGE OF SAID COURT:**

1. Defendants, TINA MARIE HILL and SOUTHERN INTERMODAL XPRESS, LLC, by their undersigned attorney, respectfully show this Court:

2. On March 16, 2020, Cause No. C-1016-20-A was commenced against Defendants in the 92<sup>nd</sup> Judicial District Court of Hidalgo County, Texas, and is now pending therein.

3. On December 30, 2020, Defendants', Tina Marie Hill and Southern Intermodal Express, LLC, filed a Motion to Transfer Venue in the 92<sup>nd</sup> Judicial District Court of Hidalgo County, Texas. Notice is hereby given that said motion is still pending.

4. This Court has jurisdiction of the above-entitled action pursuant to diversity jurisdiction, 28 U.S.C. § 1332, and the action may therefore be removed to this Court pursuant to 28 U.S.C. § 1441(b).

5. Plaintiff's Original Petition asserts damages in excess of \$1,000,000.00. Accordingly, the amount in controversy is in excess of \$75,000.00, exclusive of interest and costs.

6. At the time of the commencement of this action in the 92<sup>nd</sup> Judicial District Court, and since that time, Plaintiff has been a citizen of the State of Louisiana.

7. At the time of the commencement of this suit and since then, Defendant Southern Intermodal Xpress, LLC is an Alabama corporation and Defendant Tina Marie Hill is a resident of Louisiana. Furthermore, Defendant Cantu is not a resident of Texas. Thus, no Defendant is a citizen of the State of Texas.

8. This notice is filed with this Court within 30 days after acceptance of service on Defendants of Plaintiff's Original Petition in the above-entitled action.

9. As required by 28 U.S.C. § 1446(d), a copy of the Notice of Removal is being served on Plaintiff, by and through her attorney of record, and is also being filed with the 92<sup>nd</sup> District Court, Hidalgo County, Texas.

10. Concurrently with this Notice of Removal, the appropriate Notice of Removal is being filed in state court.

11. Copies of all process, pleadings, and orders filed in this cause, as well as an "Index of Matters Being Filed," are attached hereto in accordance with Local Rules.

**WHEREFORE**, Defendants pray that the above-entitled action be removed from the 92<sup>nd</sup> Judicial District Court of Hidalgo County, Texas, to this Court.

Respectfully submitted,

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//s// David R. Rangel  
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**ATTORNEYS FOR DEFENDANTS  
TINA MARIE HILL AND SOUTHERN  
INTERMODAL XPRESS, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to the following counsel pursuant to the Federal Rules of Civil Procedure, on this the 29<sup>th</sup> day of January, 2021:

Ms. I. Cecilia Garza  
Ms. Veronica Sepulveda Martinez  
**GARZA MARTINEZ, L.L.P.**  
P.O. Box 4134  
Edinburg, Texas 78540

Mr. Carlos E. Ortegon  
504 E 9<sup>th</sup> Street, Suite A  
Mission, Texas 78572

//s// David R. Rangel  
**DAVID R. RANGEL**  
**NICONDRA CHARGOIS-ALLEN**